

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SYMBOL TECHNOLOGIES, INC.,
a Delaware Corporation,
Plaintiff,

v.

YDI WIRELESS, INC.,
a Delaware Corporation,
d/b/a TERABEAM WIRELESS,
d/b/a PROXIM WIRELESS,
PROXIM WIRELESS CORPORATION,
a Delaware Corporation, and
TERABEAM CORPORATION,
a Washington Corporation,
Defendants.

Civil Action No. 05 – 0755 (SLR)

NOTICE OF DISMISSAL

WHEREAS the parties have resolved this action pursuant to a Settlement Agreement,

THEREFORE, pursuant to Fed. R. Civ. P. 41(a)(1)(i) and in accordance with the terms of the Settlement Agreement, the Complaint of Plaintiff Symbol Technologies, Inc., shall be and hereby is dismissed without prejudice, provided that the dismissal becomes with prejudice ninety (90) days following completion of payment of all sums required by Schedule A of the Patent License Agreement (Attachment B to the Settlement Agreement).

CONNOLLY BOVE LODGE & HUTZ LLP

By: s/Arthur G. Connolly, III
Arthur G. Connolly, III (#2667)
aconnollyiii@cblh.com
1007 N. Orange Street
Wilmington, Delaware 19899
(302) 658-9141
Attorneys for Plaintiff